

# **The Editorial Board: In Albany, important legislation awaits action as session winds down**

*Albany has important work to complete before the 2023 legislative session ends on June 9.*

*News Editorial Board*

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Not so fast, New York legislators. There's still plenty of unfinished business in Albany before the 2023 session ends June 9. Blowing past the deadline to finish the 2024 budget by more than a month does not justify slacking off now.

Housing, the major policy disappointment of the budget, is unlikely to be taken up in any significant manner before next year, but hope remains for other pieces of legislation that may be less sweeping but address key priorities.

Social justice is one of those priorities.

## **Clean Slate**

The Clean Slate Act (S.211/A.1029) has been on the brink of passage for at least the last two sessions. The bill would automatically seal certain criminal records after those convicted of a crime have completed their incarcerations with the addition of three-year waiting periods for misdemeanors or seven-year waiting periods for felonies.

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This bill removes one of the major obstacles hindering those who have paid the price for their crimes from starting new, productive lives.

It's important to understand that sealing does not mean erasing. Relevant law enforcement and qualified agencies would still have access to these records for background checks, given adequate justification – such as an application for a firearm permit. Employers or other entities required by law to request a fingerprint-based check of criminal history also will have access. Also, those on probation or parole are not eligible; neither are sex offenders.

In a case of strange bedfellows, business groups like the U.S. Chamber of Commerce and the Business Council of New York State have joined progressive legislators and social justice advocates in pressing for Clean Slate legislation. The reason is simple: excluding those with criminal histories from the workforce is estimated to cost between \$78 billion and \$87 billion a year in losses to the country's gross domestic product.

Unsurprisingly, the New York State Division of Criminal Justice Services reports that people of color made up 73% of prison inmates in 2020, with Black and Latino people making up 48% and 23%, respectively. And a 2020 Harvard Law Review study of expungement data in Michigan called the barriers that come with having a criminal record “the new civil death.”

Word is that this might be the year for passage of the Clean Slate Act. We hope so.